



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicants: Usha Upadhyayula, et al. § Art Unit: 2171
Serial No.: 09/105,844 §
Filed: June 26, 1998 § Examiner: H. J. Alaubaidi
Title: Dynamic Device Profiles § Docket No. ITL.0055US
§ (P5902)

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Commissioner for Patents
Washington, D.C. 20231

REPLY TO FINAL OFFICE ACTION DATED SEPTEMBER 11, 2002

In response to the Final Office Action mailed September 11, 2002, the Applicants request the Examiner to please consider the following remarks.

REMARKS

Claims 1-29 are pending in the instant application and are presented for reconsideration. Independent claims 1, 7, 14 and 22 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,694,227 to *Starkweather*.

Regarding claim 1, two specific limitations call for *receiving a graphical object having associated image information to generate a device profile based on the associated image information*. Generation of device profiles for graphical objects having associated image information in a dynamic or an automatic fashion may advantageously provide an improved color reproduction regardless of an image capture environment. Unlike the above-indicated two specific limitations of claims 1, in the *Starkweather* reference, the *color image data (sampling data) which is transformed to a device profile is received separately from the color image data (display image data) for which the device profile is generated*. Thus the generation of a device profile in the *Starkweather* reference is not based on the associated image information, rather it is simply based on data that is first derived from color samples of an image and later used to handle a corresponding object which is obtained subsequently. See column 3, lines 49-52; column 4, beginning at line 59 and column 8, lines 20-27. In this manner, every single limitation of independent claim 1 is not anticipated by the teachings of

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I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Box AF, Commissioner for Patents, Washington, DC 20231.

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Reconsideration
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